

AMENDMENT TO THE DRAWING(S)

Please find enclosed a replacement sheet for the drawing sheet on which Fig. 2 appears, showing proposed amendments to Fig. 2 for the approval of the Examiner.

REMARKS/ARGUMENTS

The drawings were objected to under 37 C.F.R. §1.83(a). Reconsideration of the objection is respectfully requested.

In the objection, the Examiner indicates that the “air gap” in claim 6 and the “reception circuit” in claim 9 must be shown or the features canceled from the claims. Since claim 6 has been canceled, without prejudice or disclaimer, the “air gap” need not be shown. With regard to the “reception circuit,” it is shown as element 21 in Fig. 2 and a conforming amendment to the specification has been made in the paragraph beginning at page 4, line 7.

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. Reconsideration of the objection is respectfully requested.

With regard to the reception circuit in claim 9 not being shown in the original disclosure, the previously-mentioned amendment to the specification remedies that matter. The inconsistency noted in the disclosure on page 4, lines 6-16 has been remedied by amendment to the specification.

Claim 1 was objected to because of certain informalities. Reconsideration of the objection is respectfully requested.

Claim 1 has been canceled, without prejudice or disclaimer, herein.

Claims 1 and 8 were rejected under 35 U.S.C. §102(e) as being anticipated by Hamel et al., U.S. Publication No. 2004/0113790. Reconsideration of the rejection is respectfully requested.

Claims 1 and 8 have been canceled, without prejudice or disclaimer, herein.

Claims 2, 11, and 12 were rejected under 35 U.S.C. §102(b) as being anticipated by Berthon, U.S. Patent No. 5,864,323. Reconsideration of the rejection is respectfully requested.

Independent claim 2 has been amended to claim, in part, a “[r]eader with an antenna ... comprising a metallic enclosure”

In contrast, the ring antennas disclosed by Berthon are designed to operate in close proximity to metal. However, the antenna coil is not arranged in a metal enclosure; its protective encasement 85, (Fig. 8a), is “electromagnetically transparent,” (column 5, lines 32-33), which means that the protective encasement 85 is not made of metal.

Since claims 11 and 12 are directly or indirectly dependent upon independent claim 2, they are allowable over Berthon for the same reasons recited above with respect to the allowability of independent claim 2 over Berthon.

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hamel et al. Reconsideration of the rejection is respectfully requested.

Claim 4 has been canceled, without prejudice or disclaimer, herein.

Claims 5 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hamel et al. in view of Berthon. Reconsideration of the rejection is respectfully requested.

Claims 5 and 6 have been canceled, without prejudice or disclaimer, herein.

Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hamel et al. in view of Finkenzeller, RFID Handbook - Radio Frequency Identification Fundamentals and Application. Reconsideration of the rejection is respectfully requested.

Claim 7 has been canceled, without prejudice or disclaimer, herein.

Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Berthon in view of Kunert et al. U.S. Patent No. 6,109,528. Reconsideration of the rejection is respectfully requested.

Since claim 3 is directly dependent upon independent claim 2, it is allowable over Berthon for the same reasons recited above with respect to the allowability of independent claim 2 over Berthon. With regard to Kunert et al., it does not disclose, teach, or suggest a metallic enclosure enclosing an electronic control circuit, as claimed in independent claim 2 and, thus, in dependent claim 3.

Claims 9, 10, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Berthon in view of Hamel et al. Reconsideration of the rejection is respectfully requested.

Since claims 9, 10, and 14 are directly dependent upon independent claim 2, they are allowable over Berthon for the same reasons recited above with respect to the allowability of independent claim 2 over Berthon. With regard to Hamel et al., it does not disclose, teach, or suggest a reader with a metallic enclosure containing an electronic control circuit, as claimed in independent claim 2 and, thus, in dependent claims 9, 10, and 14.

Claim 13 was rejected under 35 U.S.C. §103(a) as being unpatentable over Berthon in view of Finkenzeller. Reconsideration of the rejection is respectfully requested.

Since claim 13 is directly dependent upon independent claim 2, it is allowable over Berthon for the same reasons recited above with respect to the allowability of independent claim 2 over Berthon. With regard to Finkenzeller, the cited page thereof does not teach, disclose, or suggest a reader with a metallic enclosure enclosing an electronic control circuit, as claimed in independent claim 2 and, thus, in dependent claim 13.

In view of the foregoing amendments and remarks, allowance of claims 2-3, 9-11, and 13-14 is respectfully requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 1, 2005:

Robert C. Faber

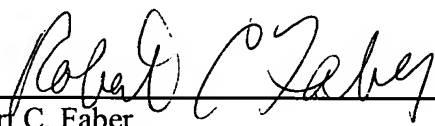
Name of applicant, assignee or
Registered Representative


Signature

November 1, 2005

Date of Signature

Respectfully submitted,



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